

# DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:  
"Joint Repair Using Mesenchymal Stem Cells"

the specification of which [x] is attached hereto or [ ] was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s):

(Number)	(Country)	(Day/Month/Year Filed)	Priority Claimed	
			Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, Section(s) 119 and/or 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/236,106</u> (Application Serial No.)	<u>September 28, 2000</u> (Filing Date)	<u>Pending Provisional</u> (Status - pending provisional, patented, pending, abandoned)
<u>60/199,549</u> (Application Serial No.)	<u>April 25, 2000</u> (Filing Date)	<u>Pending Provisional</u> (Status - pending provisional, patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: John N. Bain (Reg. No. 18,651); John G. Gilfillan, III (Reg. No. 22,746); Elliot M. Olstein (Reg. No. 24,025); Raymond J. Lillie (Reg. No. 31,778); William Squire (Reg. No. 25,378); Alan J. Grant (Reg. No. 33,389); G. Glennon Troublefield (Reg. No. 39,050); and Francis C. Hand (Reg. No. 22,280). Address correspondence and telephone calls to Raymond J. Lillie, Esq. c/o Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, 6 Becker Farm Road, Roseland, NJ 07068 - (973) 994-1700.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Francis P. Barry  
Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence: 2510 Pickwick Road, Baltimore, Maryland 21207 Citizenship: Ireland  
Post Office Address: same

Full name of second joint inventor: J. Mary Murphy  
Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence: 2510 Pickwick Road, Baltimore, Maryland 21207 Citizenship: Ireland  
Post Office Address: same

Full name of third joint inventor: Robert Deans  
Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence: Nine Kilcolman Court #303, Timonium, Maryland 21093 Citizenship: U.S.A.  
Post Office Address: same

Full name of fourth joint inventor: David J. Fink  
Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence: 303 Wendover Road, Baltimore, Maryland 21218 Citizenship: U.S.A.  
Post Office Address: same

Full name of fifth joint inventor: Annemarie Moseley

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 8607 Marburg Manor, Lutherville, Maryland 21093

Citizenship: U.S.A.

Post Office Address: same

Docket No. 640100-424

#102185 v1

FO4240" ET44860